

**CALIFORNIA COASTAL COMMISSION**

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**Prepared February 11, 2003 (for the March 4-7, 2003 Commission meeting)**

**To:** Commissioners and Interested Persons

**From:** Diane Landry, District Manager  
Dan Carl, Coastal Planner

**Subject:** **Santa Cruz County LCP Major Amendment Number 2-01 (Seacliff Village Plan)** Proposed major amendment to the Santa Cruz County certified Local Coastal Program to be presented for public hearing and Commission action at the California Coastal Commission's March 4-7, 2003 meeting to take place at the Embassy Suites Hotel, 333 Madonna Road, in San Luis Obispo.

## Summary

Santa Cruz County is proposing to change its certified Local Coastal Program (LCP) to incorporate the Seacliff Village Plan (Plan) into the LCP Land Use Plan (LUP), and to rezone several parcels within Seacliff Village in the LCP's Implementation Plan (IP; otherwise known as the Zoning Code). The Plan would provide additional LCP policies and land use direction for property located within Seacliff Village. The primary intent of the Plan and the proposed LCP changes is to foster the Seacliff Village area as a visitor-serving and pedestrian oriented commercial area.

Seacliff Village is located in the unincorporated Aptos area of south Santa Cruz County. Surrounded primarily by urban-density residential development up and downcoast, and framed on its inland side by Highway One and more urban development, Seacliff Village is a small predominantly commercial area that fronts State Parks' Seacliff State Beach unit that occupies the bluffs and beach on the seaward side of the Village. The Village area has developed over time with little in the way of a coordinating theme or design, and it generally lacks well-planned urban infrastructure that would help foster the area as a pedestrian-oriented commercial draw.

The County, through a grass-roots planning process, has developed the Plan as a means to guide future development in a manner that will help define the Village. The Plan presents unifying theme and design aesthetic, as well as emphasizes the commercial core for pedestrian level visitor-serving facilities complementary to Village's special location adjacent to the State Park and the Monterey Bay shoreline. This is accomplished by a series of policies in the Plan directing that commercial uses be neighborhood commercial and/or visitor-serving, defining design requirements, and designating certain properties within the Village core for specific visitor-serving commercial land uses (such as visitor accommodations).

In general, the Plan provides direction for the Village area designed to mold it, over time, into a small-scale village area attractive to both the surrounding neighborhoods and to visitors to the special coastline and State Park here. The Plan would help to further LCP and Coastal Act objectives for maximizing coastal access and providing appropriate upland support facilities directed towards coastal zone visitors and all users. There are, however, a few areas of potential confusion in the Plan, and in how the Plan relates to the LCP, that must be modified to ensure that the Plan functions as intended. Staff has



**California Coastal Commission**

March 2003 Meeting in San Luis Obispo

Staff: D. Carl Approved by:

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coordinated with the County on these necessary changes and the County is in agreement with them. With these modifications, staff recommends that the Commission find the proposed Plan consistent with the Coastal Act, and the proposed rezoning consistent with and adequate to carry out the LCP's Land Use Plan.

As so modified, staff recommends that the Commission approve the LCP amendment.

#### Staff Note

The Commission previously extended the Coastal Act-mandated time frame for action on this LCP amendment until March 31, 2003. No further extensions are possible. Thus, pursuant to the timing requirements of the Act, the Commission must act on this LCP amendment at the March 2003 meeting. If the Commission does not act, then the amendment will be deemed approved as submitted.

## Staff Report Contents

	page
Summary.....	1
I. Staff Recommendation – Motions and Resolutions.....	3
II. Suggested Modifications.....	4
III. Findings and Declarations .....	6
A. Standard of Review .....	6
B. Proposed LCP Amendment.....	6
C. Effect of Changes Proposed.....	8
D. Coastal Act and LUP Consistency .....	8
E. California Environmental Quality Act (CEQA).....	15
IV. Exhibits	
Exhibit A: Seacliff Village Plan Location and Photos	
Exhibit B: Board of Supervisors' Resolution and Rezoning Ordinance	
Exhibit C: Relevant General Plan/LCP Policies	
Exhibit D: Proposed Seacliff Village Plan	



## I. Staff Recommendation – Motions and Resolutions

Staff recommends that the Commission, after public hearing, approve the proposed amendment only if modified. The Commission needs to make 4 separate motions in order to act on this recommendation.

### 1. Denial of Land Use Plan Major Amendment # 2-01 as Submitted

Staff recommends a **NO** vote on the motion below. Failure of this motion will result in denial of the LUP portion of the amendment as submitted and adoption of the following resolution and the findings in this staff report. The motion passes only by an affirmative vote of a majority of the appointed Commissioners.

**Motion (1 of 4).** I move that the Commission **certify** Major Amendment #2-01 to the County of Santa Cruz Local Coastal Program Land Use Plan as submitted by the County of Santa Cruz.

**Resolution to Deny.** The Commission hereby **denies** Major Amendment #2-01 to the County of Santa Cruz Local Coastal Program Land Use Plan as submitted by the County of Santa Cruz and adopts the findings set forth in this staff report on the grounds that the amendment does not conform with the policies of Chapter 3 of the Coastal Act. Certification of the Local Coastal Program Land Use Plan amendment would not comply with the California Environmental Quality Act because there are feasible alternatives or mitigation measures which could substantially lessen any significant adverse effect which the Local Coastal Program Land Use Plan Amendment may have on the environment.

### 2. Denial of Implementation Plan Major Amendment # 2-01 as Submitted

Staff recommends a **YES** vote on the motion below. Passage of this motion will result in rejection of the IP portion of the amendment and the adoption of the following resolution and the findings in this staff report. The motion passes only by an affirmative vote of a majority of the Commissioners present.

**Motion (2 of 4).** I move that the Commission **reject** Major Amendment #2-01 to the County of Santa Cruz Local Coastal Program Implementation Plan as submitted by the County of Santa Cruz.

**Resolution to Deny.** The Commission hereby **denies** certification of Major Amendment #2-01 to the County of Santa Cruz Local Coastal Program Implementation Plan as submitted by the County of Santa Cruz and adopts the findings set forth in this staff report on the grounds that, as submitted, the Implementation Plan amendment is not consistent with and not adequate to carry out the certified Land Use Plan. Certification of the Implementation Plan amendment would not comply with the California Environmental Quality Act because there are feasible alternatives or mitigation measures which could substantially lessen any significant adverse effect which the Implementation Plan Amendment may have on the environment.

### 3. Approval of Land Use Plan Major Amendment # 2-01 if Modified

Staff recommends a **YES** vote on the motion below. Passage of the motion will result in the certification of the LUP portion of the amendment with suggested modifications and adoption of the following resolution



and the findings in this staff report. The motion to certify with suggested modifications passes only upon an affirmative vote of the majority of the appointed Commissioners.

**Motion (3 of 4).** I move that the Commission **certify** Major Amendment #2-01 to the County of Santa Cruz Local Coastal Program Land Use Plan if it is modified as suggested in this staff report.

**Resolution to Certify with Suggested Modifications.** The Commission hereby **certifies** Major Amendment #2-01 to the County of Santa Cruz Local Coastal Program Land Use Plan if modified as suggested and adopts the findings set forth in this staff report on the grounds that the Land Use Plan amendment with suggested modifications will meet the requirements of and be in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the Land Use Plan amendment if modified as suggested complies with the California Environmental Quality Act because either: (1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment; or (2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts which the Land Use Plan Amendment may have on the environment.

#### 4. Approval of Implementation Plan Major Amendment # 2-01 if Modified

Staff recommends a **YES** vote on the motion below. Passage of this motion will result in certification of the IP portion of the amendment with suggested modifications and the adoption of the following resolution and the findings in this staff report. The motion passes only by an affirmative vote of a majority of the Commissioners present.

**Motion (4 of 4).** I move that the Commission **certify** Major Amendment #2-01 to the County of Santa Cruz Local Coastal Program Implementation Plan if it is modified as suggested in this staff report.

**Resolution to Certify with Suggested Modifications.** The Commission hereby **certifies** Major Amendment #2-01 to the County of Santa Cruz Local Coastal Program Implementation Plan if modified as suggested and adopts the findings set forth in this staff report on the grounds that, as modified, the Implementation Plan amendment is consistent with and adequate to carry out the certified Land Use Plan. Certification of the Implementation Plan amendment if modified as suggested complies with the California Environmental Quality Act because either: (1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment; or (2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts which the Implementation Plan Amendment may have on the environment.

## II. Suggested Modifications

The Commission hereby suggests the following modifications to the proposed LCP amendment, which are necessary to make the requisite Coastal Act and Land Use Plan consistency findings. If the County of Santa



Cruz accepts each of the suggested modifications within six months of Commission action, by formal resolution of the Board of Supervisors, the corresponding amendment will become effective upon Commission concurrence with the Executive Director's finding that this acceptance has been properly accomplished. Where applicable, text in ~~cross-out~~ format denotes text to be deleted and text in underline format denotes text to be added.

## 1. Relationship of the Seacliff Village Plan to Local Coastal Program (LCP).

- (a) **Land Use Plan (LUP) Chapter One.** Insert the following text as indicated in the last paragraph of Page 1-13 of Chapter One of the Santa Cruz County LUP:

*Volume II of the General Plan consists of all the village, town, community and specific plans adopted by the County, as well as other detailed adopted planning documents. Those plans that cover areas in the coastal zone are part of the Local Coastal Program. The village, town, community and specific plans have equal weight with the General Plan and Local Coastal Program Land Use Plan. ...*

- (b) **Add to LCP.** Existing Santa Cruz County General Plan Objective 2.24, Program 2.24(a), and Policies 2.24.1 and 8.8.1 shall be designated as Santa Cruz County LCP policies.
- (c) **LUP Figure 1-6.** The Seacliff Village Plan shall be added to the list of plans in Santa Cruz County LUP Figure 1-6.
- (d) **LUP Figure 8-1.** Insert the following text in the row corresponding to the "Seacliff Beach Area Special Community" under the "Design Guideline Source" column in Santa Cruz County LUP Figure 8-1:

*General Plan/Local Coastal Program, including the Seacliff Village Plan, and Coastal Zone Regulation Ordinance.*

## 2. Internal Seacliff Village Plan Reference.

- (a) **Parcel Reference.** Revise the referencing scheme in the Seacliff Village Plan so that all references to Assessor Parcel Numbers (APNs) within the Plan are replaced by non-APN identifiers (e.g., site A, B, C, or site 1, 2, 3, etc.).
- (b) **Figures.** Revise the Seacliff Village Plan figures so that the plan area orientation and scale is the same for each, and the APN references are replaced by non-APN identifiers.

## 3. Parking clarification.

The text of page 15 of 73 of the Seacliff Village Plan shall be modified as follows:

*It is clear that this deficit is a serious issue within the Village that could undermine ~~can never be corrected and would prevent~~ upgrades to existing development and the development of existing vacant parcels....*



### III. Findings and Declarations

The Commission finds and declares as follows:

#### A. Standard of Review

The standard of review for the proposed modifications to the County's LUP is consistency with the Coastal Act. The standard of review for proposed modifications to the County's IP is that they must be consistent with and adequate to carry out the policies of the LUP. In general, Coastal Act policies set broad statewide direction that are generally refined by local government LUP policies giving local guidance as to the kinds, locations, and intensities of coastal development. IP (zoning) standards then typically further refine LUP policies to provide guidance on a parcel by parcel level.

#### B. Proposed LCP Amendment

Setting: Seacliff Village Area

Seacliff Village is located in the unincorporated Aptos-Rio del Mar area of Santa Cruz County. Surrounded primarily by urban-density residential development up and downcoast, and framed on its inland side by Highway One and additional urban development, Seacliff Village is a small predominantly commercial area. The Village area has developed over time with little in the way of a coordinating theme or design, and it generally lacks well-planned urban infrastructure that would help foster the area as a pedestrian-oriented commercial draw.

State Parks' (DPR's) Seacliff State Beach unit occupies the bluffs and beach on the seaward side of the Village, and access into the Park is via State Park Drive from Highway One, through the Village itself. Seacliff State Beach is a very popular parks unit that includes campsites, beach, pier, interpretive center and associated public recreational amenities open year round. The Park accommodates nearly 2 million visitors per year with day use and overnight RV camping at the shore's edge; State Parks indicates that the 26 campsites here are some of the most popular in the state. The Monterey Bay National Marine Sanctuary, the largest of twelve such federally protected sanctuaries nationwide, is directly offshore.

See exhibit A for project location maps and photos.

Amendment Description: Seacliff Village Plan

The County, through a grass-roots community planning process, has developed the Seacliff Village Plan (Plan) as a means to guide future development (including both future private development and future public works projects) in a manner that will help define the Village through a unifying theme and design aesthetic, as well as emphasizing the commercial core for pedestrian level visitor-serving facilities complementary to Village's special location adjacent to the State Park unit and the Monterey Bay shoreline. The Plan intends to accomplish this through a series of policies directing that commercial uses be neighborhood commercial and/or visitor-serving, defining design requirements, and designating certain properties within the Village core for specific visitor-serving commercial land uses (such as visitor accommodations). The primary intent of the Plan is to foster the Seacliff Village area as a visitor-serving



and pedestrian oriented commercial area.

Santa Cruz County is proposing to incorporate the Seacliff Village Plan as a component of the LCP's LUP, and to rezone several parcels within Seacliff Village (see exhibit D for the full text of the plan, and exhibits A and B for the parcels to be rezoned). The Plan would provide additional LCP policies and land use direction for property located within the defined Seacliff Village area (see exhibit A for the area to which the plan would apply).

More specifically, the Plan and corresponding rezoning would:

- 1) Limit the range of commercial uses allowed on commercially designated properties in the Plan area to neighborhood and/or visitor-serving uses (as opposed to the full range of commercial uses that might otherwise be allowed).
- 2) Change the LUP designation and zoning of the McGregor parcel (see exhibit A for location) from Community Commercial (Designated Park Site) and C-2-D (Community Commercial with Designated Park Site Combining District) to an LUP designation of Proposed Park and Recreation and Visitor Accommodations and a zoning of VA-D (Visitor Accommodations with Designated Park Site Combining District). If the County does not acquire the property and develop a park, the Plan limits the allowed VA uses on the site to visitor accommodations.
- 3) Limit the allowed uses on the Poor Clares parcel (see exhibit A for location) to a destination hotel/conference center or museum, with a restaurant (or some combination thereof). The existing land use designation of Visitor Accommodations would be retained. The zoning would be changed from VA to SU (Special Use) to allow for more flexibility in developing the identified visitor accommodations, but this zone change does not require an LCP amendment.<sup>1</sup>
- 4) Specify that certain smaller parcels may only be developed in tandem with neighboring parcels.
- 5) Relax parking requirements within the core commercial area for new development or intensification of commercial uses (e.g., requiring 1 parking space 300 square feet of retail as opposed to 1 parking space for 200 square feet as generally required Countywide).
- 6) Change the LUP designation and zoning of the Adobe Hacienda parcel (see exhibit A for location) from Neighborhood Commercial and C-1 (Neighborhood Commercial) to an LUP designation of Residential Urban High Density and a zoning of RM-1.5 (Multi-Family Residential – 1,500 square feet of land per unit). Require Planning Commission review of the redesignation in 10 years for possible use changes to visitor-serving and pedestrian oriented commercial at that time.
- 7) Change the LUP designation and zoning of the Seacliff Center Trailer Park parcel (see exhibit A for location) from Neighborhood Commercial and C-1 (Neighborhood Commercial) to an LUP designation of Visitor Accommodations and a zoning of VA (Visitor Accommodations).

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<sup>1</sup> Per LCP Section 13.10.170, the SU zone district implements all LUP land use designations and a rezoning to SU does not require an LCP amendment.



- 8) Change the LUP designation and zoning of the vacant parcel between North Avenue, Broadway and the railroad tracks from Neighborhood Commercial and C-1 (Neighborhood Commercial) to an LUP designation of Visitor Accommodations and a zoning of VA (Visitor Accommodations), with a specific requirement that any approved VA use be Type A visitor accommodations (such as a small inn or a bed and breakfast); see exhibit A for location.
- 9) Provide design guidance for public and private development meant to foster a pedestrian level, visitor-serving village area (through landscaping, sign and building design, streetscape and lighting design, transition “gateways” into and out of the village, protection of Monterey Bay views, designation of appropriate materials, designation of exemplary architecture to be emulated, etc.), and specify application design requirements for development within the village (e.g., 3-D models, photo-simulations, scenic view cross sections, etc.), including specific design requirements by parcel.

See exhibit D for the proposed Seacliff Village Plan, and exhibits A and B for the parcels to be rezoned.

### C. Effect of Changes Proposed

The Plan would be used in the review of development applications within the defined Seacliff Village area (see exhibit A for the designated Plan area). As a result, its effect is primarily limited to the 38 parcels and the associated public street right-of-ways located in the Plan area, although it may act as contextual guidance for development of property surrounding the Plan area. It would provide an additional level of direction for development beyond the Countywide policies that already apply in the Village.

### D. Coastal Act and LUP Consistency

In order to approve a Land Use Plan amendment, it must be consistent with the Coastal Act. In order to approve an Implementation Plan amendment (i.e., the rezonings proposed), it must be consistent with and adequate to carry out the Land Use Plan.

#### 1. Applicable Coastal Act Policies

Coastal Act Sections 30210 through 30214 and 30220 through 30224 specifically protect public access recreation, such as the visitor access to and through Seacliff Village. In particular:

***Section 30210:** In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.*

***Section 30211:** Development shall not interfere with the public's right of access to the sea....*

***Section 30212(a):** Public access from the nearest public roadway to the shoreline and along*





*the coast shall be provided in new development projects...*

**Section 30213:** *Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.*

**Section 30221:** *Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.*

**Section 30223:** *Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.*

In addition, Section 30252 requires that public access to the coast be maintained and enhanced, and addresses non-automobile circulation and parking for visitors.

**Section 30252.** *The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.*

Coastal Act Section 30250 (a) and (c) provide siting direction for visitor-serving commercial development, such as that associated with the Seacliff Village Plan:

**Section 30250(a).** *New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. ...*

**Section 30250(c).** *Visitor-serving facilities that cannot be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.*

Coastal Act Section 30254 applies to the identified public works elements of the Seacliff Village Plan, giving capacity priority to visitor-serving uses; 30254 states:

**Section 30254.** *New or expanded public works facilities shall be designed and limited to*



*accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.*

The Coastal Act likewise protects the character and scenic quality of Seacliff Village. Sections 30251 and 30253(5) state as follows:

**Section 30251.** *The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.*

**Section 30253(5).** *New development shall where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.*

Seacliff Village is also immediately adjacent to DPR's Seacliff State Beach unit. As such, Coastal Act Section 30240(b) also applies:

**Section 30240(b).** *Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.*

## 2. Consistency Analysis

In general, the Plan provides direction for the Village area designed to mold it, over time, into a small scale village area attractive to both the surrounding neighborhoods and to visitors to the special coastline and State Park here. The Plan would generally help to further LCP and Coastal Act objectives for maximizing coastal access and providing appropriate upland support facilities directed towards coastal zone visitors and all users. It would generally serve to enhance Seacliff Village as a special community. That said, there are three Coastal Act issue areas in need of some discussion.

Redesignating the Adobe Hacienda site as residential



Generally, the redesignation and zoning of a commercial site to a residential site in a visitor-serving area runs counter to the use priorities of the Act. In this case, the Adobe Hacienda site is being changed from commercial to residential use. The County indicates that the site was originally developed with a 7 unit motel in 1946 (6 units and a manager's unit). It was then expanded with 6 additional units in 1961 (for a total of 13, one a manager's unit). It was then expanded by 2 units in the 1970s (for a total of 15, one a managers unit). Sometime in the early 1990s, the transient motel use was replaced by year-round apartment use. The County's proposed redesignation is in recognition of this ongoing use.

There isn't a need to maintain the commercial designation at this site, or to alternatively redesignate it to visitor accommodations, for three main reasons. First, the Plan provides for significant visitor accommodations (through land use designations and rezoning) within the Plan area. These include the major visitor accommodations use designated for the Poor Clares site, the alternative (if a park isn't developed) visitor accommodations use designated for the McGregor site, the transient visitor use designated for the Seacliff Center Trailer Park, and the boutique-size bed and breakfast inn designated for the vacant parcel off of Broadway. These facilities must also be understood in relation to the substantial visitor accommodations in the immediate vicinity but outside of the designated Plan area, including the overnight RV accommodations provided at Seacliff State Beach and the major hotel facility just inland of Highway One on State Park Drive (the 140-room Best Western Seacliff Inn). The Plan provides for, and there exist, adequate visitor accommodations in this shoreline area, and the 14 units at the Adobe Hacienda don't appear critical in this regard. Second, the Plan provides that the residential designation and zoning will be reevaluated after 10 years by the County Planning Commission as to whether it is still appropriate given the range of uses then existing; any use changes at that time are limited by the Plan to small scale neighborhood and visitor-serving uses. And third, visitor accommodations, such as a motel or bed and breakfast inn, are allowed in the proposed residential zone designation that would be applied. The site could thus return to transient use under the residential designation proposed.

Accordingly, the change to a lower (Coastal Act and current LCP) priority residential use can be found consistent with the Coastal Act in this case.

#### Relaxed Parking Standards

The Plan proposing to relax parking standards (that is to require slightly less off-street parking than would normally be required) for both new development and intensification of use within portions of the Plan area, primarily the existing commercial core area. There are several reasons for this including the fact that many of the businesses here were developed before parking requirements were established, there is little (and in some cases no) on-site space available for individual properties to provide off-street parking facilities, and, ultimately because the Plan is oriented to shaping the Village as a pedestrian oriented area.

The Coastal Act issue engendered by relaxing some of the parking standards is that public visitor access to the shoreline, and in this case the special visitor destination that the Village intends to become through the Plan, could be adversely affected by a lack of parking in the Village. The County estimates that the Plan area currently operates at a 184-space off-street parking deficit if the parking requirements of all current uses are calculated, most of this deficit in the commercial core itself. There do exist a number of on-street parking spaces, and a few informal parking lot areas, but the lack of coordinated street



infrastructure, and in some cases the lack of any defined street edge at all (i.e., curb, gutter, sidewalk), limits the effectiveness of the on-street supply in meeting the needs of visitors and local patrons of the Village.

The Plan clearly identifies parking as an issue in the Village, and designates certain vacant sites for parking improvements. The plan also identifies, but does not put in place, the concept of establishing a Village parking assessment program designed to develop coordinated parking facilities in the Village area.

It does not appear that relaxing parking standards for future development would significantly impact the ability of visitors to access the coast here. This is the case for several reasons. First, the adjacent Seacliff State Beach parking lot provides 365 developed parking stalls immediately adjacent to the Village area on its seaward side; many coastal visitors, and particularly those accessing the State Park facility that occupies most all of the immediate shoreline here, will use this parking area. Further, State Parks has an overflow unpaved area that the County estimates can accommodate 250 additional parked cars in times of high demand. Second, there is ample on-street parking available directly adjacent to the State Park parking lot and blufftop that can be used by coastal visitors attempting to access the blufftop vista point areas (outside of the defined Plan area, but in the general Seacliff Village area); these access point users should remain essentially unaffected. And third, parking standards would not be relaxed (from existing Countywide requirements) for the largest plan properties (the McGregor site and the Poor Clares site); potentially the largest parking demand generators within the Plan area.

The majority of any potential public access parking impact would be to visitors accessing the Village commercial core itself. Over time, and through Plan implementation, one might expect the Village to transform into more of a visitor destination, but it currently does not generally attract visitors en masse in this way. Thus, the current parking impacts are primarily to local coastal access users (i.e., the immediate neighborhoods) and less to the general visiting public. This relative composition of Village users would be expected to change over time as the Plan is implemented. In any case, the Plan itself acknowledges parking difficulties within the Village area itself and prescribes a series of potential solutions (including designating sites for future central parking lot development, development of a parking assessment district, etc.). It also correctly indicates that there may be the potential for some shared use of the large State Park parking lot (particularly during off season and/or off-hours times) to alleviate impacts.<sup>2</sup>

In sum, it isn't likely that slightly relaxing parking standards as proposed will negatively impact public access. Moreover, it appears more likely that, over time, and with Plan implementation, that parking in the Village can and will be enhanced for visitors and immediate residents alike. Accordingly, the relaxed parking standards can be found consistent with the Coastal Act in this case.

## Technical Clarifications

### 1. Relationship of Plan to LCP

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<sup>2</sup> Note that the parking lot, and the State Park itself, are outside of the defined Plan area and thus issues relating to it are addressed much more generally in the Plan than for properties actually within the Plan area.



There are several locations in the existing LUP that describe the use of specific area plans to provide additional detailed land use development criteria and guidance. However, the LUP does not explicitly contain policies that require compliance with the area plans that are developed. Rather, the policies that require development to be consistent with the plans that are developed are General Plan, and not LUP, policies (e.g., General Plan Objective 2.24, Policies 2.24.1 and 8.8.1, and Program 2.24(a); see exhibit C). As a result, although inferred, it is not explicitly clear by policy that consistency with the plans is required by the LCP for development proposed within them. The introductory LUP text (in Chapter 1) is inconclusive in this regard, and only minimally details the connection between plans that are developed, like the Seacliff Village Plan, and the LCP. In addition, neither LUP Chapter 1 nor Chapter 8 reference a Seacliff Village Plan. It appears an oversight that these policies weren't LCP policies originally, and that the LUP-Specific Area Plan connection wasn't better identified. Fortunately, these issues can be easily addressed by designating the applicable policies as LCP policies, inserting some clarifying LUP Chapter One text, and referencing the Seacliff Village Plan in appropriate locations (see suggested modification 1; see policies to be designated as LCP policies and text location of suggested inserts in exhibit C).

## 2. Plan Figures

The Plan refers to assessor parcel numbers (APNs) as its primary means of reference internally. This is problematic for several reasons. First, APNs change over time, and those changes are not generally updated in plans such as this; it appears that this has happened even in the time since the Plan was prepared. Second, where the APN references are internally correct, the references are difficult to follow inasmuch as the site plans to which they refer in the Plan are parcel map reproductions that are grainy, hard to read, in different orientations, include many parcels outside of the area, etc.. As a result, Plan references to APNs may be to incorrect parcels and/or may be difficult or impossible to determine on the site plans. Ultimately, these issues affect the utility of the plan itself, particularly over time. Fortunately, this issue can be easily addressed by modifying internal parcel references to non-APN identifiers (such as site A, B, C, etc.). The current Plan construct lends itself to this type of a format inasmuch as it identifies different plan study areas (i.e., 1, 2, 3, and 4), and it would be a matter of identifying parcels within those areas without APNs so that the Plan site plans and references are internally consistent and separated from the APN references (e.g., site 1A, site 2B, etc.). In this same way, all site maps should be at the same scale, in the same orientation, and clearly identify the different Plan areas and parcels with the clarified numbering scheme (see suggested modification 2). Colors and/or cross hatching may also make any site plans easier to understand and use.

## 3. Parking Deficit Reference

On page 15 of the Plan, it indicates that the Plan area parking deficit can “never” be corrected. Although the parking deficit is an issue, it is not clear that it could never be corrected. In fact, the Plan itself identifies means and mechanisms to address parking issues. Future implementation of Plan policies could be prejudiced by such a definitive negative statement; particularly one that is not supported by the facts as currently understood. Fortunately, this is easily addressed by modifying the text to remove the “never” (see suggested modification 3).



### 3. Conclusion

The Commission must determine whether the LUP with the proposed amendment is consistent with the Coastal Act. For the most part, the proposed LUP amendment is generally consistent in principal with the policy requirements of the Coastal Act. In general, the Plan provides direction for the Village area designed to mold it, over time, into a small scale village area attractive to both the surrounding neighborhoods and to visitors to the special coastline and State Park here. Implementation of it should lead to enhancement of the Village as a pedestrian oriented visitor-serving area and, by extension, enhancement of public access and the coastal zone built environment in this special area of the coast. The Plan would help to further LCP and Coastal Act objectives for maximizing coastal access and providing appropriate upland support facilities directed towards coastal zone visitors and all users.

There are, however, a few areas of potential confusion in the Plan, and in how the Plan relates to the LCP, that could lead to implementation difficulties. Therefore consistency with the cited policies of Chapter 3 of the Coastal Act is not guaranteed. As such, the proposed LUP amendment must be denied as submitted. The proposed IP amendment (i.e., zoning changes) fundamentally mimics the proposed LUP changes, and depends on it for context. Since the LUP amendment must be denied, so too must the IP amendment.

Fortunately, there are minor modifications that can be made to address the identified issues and correct Plan deficiencies (see suggested modifications).

Therefore, if so modified in all of the ways outlined here according to the cited modification texts, then the LUP as amended by the proposed amendment, and as further modified as suggested above and in the cited modification texts, is approved as satisfying Coastal Act Chapter 3 policies as discussed in this finding. Similarly, if so modified in all of the ways outlined here according to the cited modification texts, then the IP as amended by the proposed amendment, and as further modified as suggested above and in the cited modification texts, is approved as being consistent with and adequate to carry out the certified LUP as amended.

Finally, it is noted here that the Plan does not directly address the interface between the Village and the DPR's Seacliff State Beach unit because the Plan area does not include the State Park. This is understandable on some levels inasmuch as the County was deferring to State Parks and their General Plan process, but it is unfortunate on others because the State Park (and particularly its upper bluff area where the parking lot, maintenance yard, and blufftop area are located) largely defines Seacliff and potential changes here can have a tremendous impact on the Village proper. This is alluded to in the Plan as it relates to the potential for shared parking, the potential to move the existing industrial-appearing DPR corporation yard fronting the Village, and the potential for a Monterey Bay Sanctuary visitor center here. However, because the Plan does not affect DPR's blufftop holdings, the direct connection and potential for guidance and direction in this critical interface is more limited. The County and DPR are encouraged to work together on future iterations of DPR's General Plan, and on future modifications to the Seacliff Village Plan, so that the Plan boundaries are blurred and this fundamental connection is emphasized and accounted for.



## E. California Environmental Quality Act (CEQA)

The Coastal Commission's review and development process for LCPs and LCP amendments has been certified by the Secretary of Resources as being the functional equivalent of the environmental review required by CEQA. Therefore, local governments are not required to undertake environmental analysis of proposed LCP amendments, although the Commission can and does use any environmental information that the local government has developed.<sup>3</sup> CEQA requires that alternatives to the proposed action be reviewed and considered for their potential impact on the environment and that the least damaging feasible alternative be chosen as the alternative to undertake. The County circulated and adopted a negative declaration under CEQA.

In addition to those detailed in the findings above, Staff has been informed of two additional potential issues that deserve brief clarification here. The first is the contention that the Seacliff Village Plan provides for a Monterey Bay Sanctuary visitor center at Seacliff State Beach. This is inaccurate because, as noted, the Plan area does not include Seacliff State Beach and thus does not directly affect future potential development there. The Plan indicates that a portion of DPR's blufftop holdings could be used for such a visitor center, but it contains no specific guidance past that on this point. The Commission is aware that numerous visitor center sites have been discussed, including potentially a site in or near Seacliff, but to date there have not been any formal proposals or development applications. The siting of a future visitor center is an issue that will be addressed during any and all planning, environmental, and permitting reviews associated with it and is outside the scope of this current plan.

Second, the Commission has received a comment that the vacant site being redesignated for a small-scale visitor accommodations facility (e.g., a boutique inn or bed and breakfast) is too small of a site to support such a development, particularly adjacent to a residential area.<sup>4</sup> However, the site is 14,000 square feet and there has been no evidence provided to date that would indicate that a small scale inn is infeasible at this location. As a point of reference, Commission is aware that a 10-unit motel was recently permitted by the County in a similar small scale commercial area (East Cliff Village in Live Oak) on a smaller site than this near an inland residential area.<sup>5</sup> The Plan also provides that the design of any facility at the site is to resemble a residential building. The rezoning to a higher relative priority use doesn't raise Coastal Act issues.

This staff report has discussed the relevant coastal resource issues with the proposal, and has recommended appropriate suggested modifications to avoid and/or lessen any potential for adverse

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<sup>3</sup> Section 21080.9 of the CEQA exempts local governments from the obligation to which they would otherwise be subject to prepare CEQA documentation in connection with the preparation and adoption of LCPs.

<sup>4</sup> The vacant parcel between North Avenue, Broadway and the railroad tracks would be redesignated from Neighborhood Commercial and C-1 (Neighborhood Commercial) to an LUP designation of Visitor Accommodations and a zoning of VA (Visitor Accommodations), with a specific requirement that any approved VA use be Type A visitor accommodations (such as a small inn or a bed and breakfast).

<sup>5</sup> Santa Cruz County coastal permit number 00-0030 for the East Cliff Inn at the corner of 13<sup>th</sup> Avenue and East Cliff Drive in coastal Live Oak, approved August 27, 2002. The East Cliff Inn site is directly adjacent to residential development and is to be constructed on a parcel measuring less than 12,000 square feet.



impacts to said resources. All public comments received to date have been addressed in the findings above. All above Coastal Act findings are incorporated herein in their entirety by reference.

As such, there are no additional feasible alternatives nor feasible mitigation measures available which would substantially lessen any significant adverse environmental effects which approval of the amendment, as modified, would have on the environment within the meaning of CEQA. Thus, if so modified, the proposed amendment will not result in any significant environmental effects for which feasible mitigation measures have not been employed consistent with CEQA Section 21080.5(d)(2)(A).

